

## Washington Retailer 'Meth Watch' program available to help reduce the statewide growth of meth labs

A program to train retailers to recognize the ingredients that go into methamphetamine production will soon be available in at least 26 of Washington's 39 counties.

The one-day program aims to increase awareness about the combination of common household items can be used to cook up a batch of meth, and to encourage retailers to watch for and report large-quantity purchases and take measures to prevent theft of those products.

Ephedrine or pseudo ephedrine -- common over-the-counter cold and allergy medicines -- are a key ingredient in meth production. The manufacturing process uses other everyday household items, such as rock or table salt, drain cleaner, rubbing alcohol and coffee filters.

Meth labs are easy to set up anywhere because the ingredients and production materials are so readily available.

Since Jan. 1, the state Department of Ecology has cleaned up 1,068 meth labs and dump sites where toxic materials had been discarded. Watchful retailers can help reduce the number of these dangerous labs and the availability of this highly addictive drug in their communities.

Retailers who have a liquor license also risk losing that license if they sell more than three packages of any product containing ephedrine or pseudo ephedrine to a single customer in one transaction. Exceeding the three-package limit is a gross misdemeanor in Washington state.

The training program also can help owners and managers of retail establishments protect their business by learning to recognize signs of amphetamine use by employees, said Bill Moreland, Western Washington's regional meth prevention coordinator.

For information about the availability of local Retailer Meth Watch training classes, contact your county health department's meth coalition or the county sheriff's office. Free retailer information packets can be downloaded from the state Meth Watch Web site: <http://methwatchwa.com/>.



Stores that participate in Meth Watch display this symbol to let customers know they are working to prevent the proliferation of meth labs.

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# State Supreme Court holds Kirkland saloon responsible for consequences of patron's drunk driving accident

The recent Washington State Supreme Court decision in the *Barrett v. Lucky Seven Saloon*, a case dealing with civil liability for serving an intoxicated customer, has attracted much public attention and editorial comment.

In summary, the Court agreed with an injured motorist that a commercial seller of alcohol, the Lucky Seven Saloon in this case, may be liable for a motorist's injuries caused by the drunk driving of an over-served patron.

In this case, the patron was served at least three pitchers of beer at the Lucky Seven Saloon, and drank at least two of those pitchers, over a three-hour period. After the patron left the Kirkland saloon, he fell asleep while driving home and collided with Mr. Barrett's car, causing Mr. Barrett permanent devastating injuries.

On appeal from the trial court's dismissal of Mr. Barrett's claim for damages against the saloon, the Court rejected the saloon's assertion that it should only be liable if the patron was obviously intoxicated when he was served alcohol, as opposed to the apparently intoxicated standard contained in Washington's liquor control laws.

RCW 66.44.200 provides that it is not only an administrative violation for a seller of alcohol to serve

alcohol to an apparently intoxicated person, but it is also a criminal infraction punishable by a fine of up to \$500. This prohibition applies to service of apparently intoxicated persons, as opposed to obviously intoxicated persons.

The Court found a significant distinction between these two terms: an apparently intoxicated person is one who is seemingly intoxicated, whereas an obviously intoxicated person is one who is certainly intoxicated.

In rejecting the obviously intoxicated standard, the Court relied on the policy purposes underlying RCW 66.44.200: the protection of Washington's citizens from the harm caused by an over served patron's drunk driving.

The Court found it consistent with this policy to not only subject the seller of alcohol to administrative action and a criminal citation, but also to hold the seller liable for damages caused by the drunk driving of the over-served patron when the patron appeared to be intoxicated.

The full opinion of the Court is available online at: <http://www.courts.wa.gov/opinions>.

## WSLCB Licensees encouraged to participate online in the Board's rule-making process by providing feedback

The Liquor Control Board has adopted new rule changes and is reviewing existing rules that could affect your business. Licensees are encouraged to participate in the rule-making process by reading proposed rule changes and providing feedback to the Board.

Copies of rule-making notices are available online at [www.liq.wa.gov](http://www.liq.wa.gov), or to get a copy mailed to you, contact Deborah Belcher at 360--664-1649.

Recently adopted rule changes include:

- Revised rules regarding beer and wine price postings by suppliers and distributors.
- A revised rule regarding qualifications for beer and wine specialty shop licensees who want to offer samples.

### WSLCB Rules currently under review:

- Alcohol advertising and promotions
- Alcohol label approval
- Requirements specific to non-retail licensees, such as manufacturers, importers and distributors
- Relationships between non-retail and retail liquor licensees

*For more information, go to:*  
[www.liq.wa.gov/rules/review\\_rules.asp](http://www.liq.wa.gov/rules/review_rules.asp)

## Credit/debit card payment option at state liquor stores available to licensees, retail customers prior to holiday rush

Enhancements to the Point of Sale (POS) System to allow licensees to pay for spirits, beer and wine with a credit or debit card at state-owned liquor stores were successfully deployed to all stores in early October.

The enhancements were rolled out statewide on Oct. 7 and 8, after several days of testing at the pilot site in the Plum Street store in Olympia and then at five other stores.

Wanda Carver, Retail Services District Manager and the project lead for implementing and testing new POS hardware and system enhancements, said response from store employees has been positive.

"The customers that are using it really like it," said Russell Vickry, manager of the Plum Street store.

Assistant Manager Becky Starr said paying with a card is better for customers and for employee.

"It's very convenient for the customer, and there is less cash to handle," Starr said.

Additional software will be added in 2005 to improve the speed and efficiency of the system.



Retail customer Gail Crow tries out the new card reader at the Plum Street store.

## Lakewood police, WSLCB, area businesses win national award for 'Raising the Bar' program to reduce alcohol-related crime

A partnership between the city of Lakewood police and fire departments, Tacoma area Liquor Control Board enforcement officers, local businesses and community organizations to reduce alcohol-related violent crime has won national recognition.

Raising the Bar -- a program initiated by the Lakewood Police Department to reduce alcohol-related crime and increase compliance with local fire and safety codes and state liquor laws is the recipient of the National Liquor Law Enforcement Association's (NLLEA) John Britt Service Award.

Lakewood Police Officer Russ Martin and LCB Enforcement Officer Jackie Eliason presented an overview of the program at a workshop that was part of the NLLEA's annual conference in San Diego in late August. Raising the Bar is a progression of other crime-free community programs, said Lakewood Police Chief Larry Saunders. It began with looking at where specific types of crimes were taking place and working with business owners, community members and others affected by the illegal activities to develop prevention measures. The focus is on education and voluntary compliance.

Police and LCB officers conducted free seminars in English and Korean before implementing routine sweeps of licensed establishments. Korean is the primary language of many local owners, and My Service Mind, an Asian social service organization, and the Lakewood Chamber of Commerce, also were partners in the project.

"It was a partnership right from the beginning," Saunders said. "We were the coordinators, but we had lots of help."

The sweeps are aimed at increasing public safety, so the frequency of visits from enforcement teams depends on the number and type of calls for police service coming from the business.

When the team arrives, officers are posted at the door to prevent people from leaving until each customer's ID is checked. Police officers use a laptop computer to check for outstanding warrant and LCB officers check licenses and permits and look for liquor law violations. The fire marshal inspects for fire code violations.

Fewer problems requiring a call to the police have converted many customers and owners who initially were critical of the program, said Eliason.

"People feel safer," she explained.

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## Program wins over customers and bar owners

LCB Supervisor Jerry Metcalf attributes the program's success to effective communication and cooperation between all of the participating agencies.

Requests for information about the program are coming in from other Washington cities and other states across the country, Metcalf said.

Formal presentation of the John Britt Community Service Award was made by Chief Phillips on Oct. 18 at Lakewood City Hall. Officer Martin, the lead officer in the project, accepted the honor on behalf of the department at the NLLEA's annual conference in August.

The partnership between the Lakewood Police Department and the Tacoma LCB enforcement officers is a good example of how local and state agencies can work together to reduce alcohol-related crime, Phillips said.

"We have some administrative tools other law enforcement agencies don't have," he said. "We can help other law enforcement agencies, if they let us."

Enforcing liquor laws can reduce other types of criminal activity and make communities and highways safer for everyone, Phillips said.

Chief Phillips was named NLLEA president for 2004-2005 at the association's annual conference.

## Compliance rates

### LIQUOR

There were 451 locations visited during liquor compliance checks in August 2004.

A total of 88 liquor licensed businesses sold alcohol to underage operatives.

The percent of liquor compliance for August is 80.5%.

The yearly average of liquor compliance is 81.8%.

### TOBACCO

There were 259 locations visited during tobacco compliance checks in August 2004.

A total of 25 tobacco licensed businesses sold tobacco to underage operatives.

The percent of tobacco compliance for August 2004 is 90.3%.

The yearly average of tobacco compliance is 80.9%.